

EXHIBIT 1

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

ROMARE J. GREENE,

Plaintiff,

v.

COSCO SHIPPING LINES CO. LTD.,
COSCO SHIPPING CAMELLIA LTD., and
SHANGHAI OCEAN SHIPPING CO. LTD.,

Defendants.

CIVIL ACTION NO: STCV20-00547

COMPLAINT FOR DAMAGES

COMES NOW, ROMARE J. GREENE, Plaintiff in the above-styled action, and brings this Complaint for Damages against the above-named Defendants, respectfully showing this Court as follows:

I. PARTIES, JURISDICTION AND VENUE

1. Plaintiff is a resident of Chatham County, Georgia.
2. Defendant COSCO SHIPPING LINES CO. LTD. is a foreign maritime entity with its principal office and place of business located at COSCO Plaza, 378, Dongdaming Lu, Hongkou Qu, Shanghai, China. Defendant COSCO SHIPPING LINES CO. LTD. will be served with process in compliance with the requisite international treaties and other legal obligations.
3. At all times relevant to this cause of action, Defendant COSCO SHIPPING LINES CO. LTD. was doing business in the State of Georgia within Chatham County.

4. Defendant COSCO SHIPPING CAMELLIA LTD. is a foreign maritime entity with its principal office and place of business located c/o COSCO Shipping Lines Co. Ltd., COSCO Plaza, 378, Dongdaming Lu, Hongkou Qu, Shanghai, China. Defendant COSCO SHIPPING CAMELLIA LTD. will be served with process in compliance with the requisite international treaties and other legal obligations.

5. At all times relevant to this cause of action, Defendant COSCO SHIPPING CAMELLIA LTD. was doing business in the State of Georgia within Chatham County.

6. Defendant SHANGHAI OCEAN SHIPPING CO. LTD. is a foreign maritime entity with its principal office and place of business located at COSCO Plaza, 378, Dongdaming Lu, Hongkou Qu, Shanghai, China. Defendant SHANGHAI OCEAN SHIPPING CO. LTD. will be served with process in compliance with the requisite international treaties and other legal obligations.

7. At all times relevant to this cause of action, Defendant SHANGHAI OCEAN SHIPPING CO. LTD. was doing business in the State of Georgia within Chatham County.

8. Upon information and belief, Defendants own, manage, operate, direct, and crew vessels, including the *M/V COSCO SHIPPING CAMELLIA*, to call upon and transact business in the Port of Savannah, Chatham County, Georgia, on a routine, regular, and systematic basis.

9. This cause of action is based upon injuries sustained by Plaintiff on the navigable waters of the United States, more specifically, in Chatham County, Georgia.

10. Plaintiff brings this cause of action under the Savings to Suitors clause of 28 USC § 1333, general maritime law, Georgia law, and all laws supplementary and amendatory thereto.

11. Jurisdiction and venue are proper in this Honorable Court.

II. FACTUAL ALLEGATIONS

12. On or about February 17, 2020, Plaintiff was working as a longshoreman aboard the vessel *M/V COSCO SHIPPING CAMELLIA* at Container Berth 7 of the Garden City Terminal of the Georgia Ports Authority.

13. In the course of his employment duties on said date and place, Plaintiff was directed to perform certain duties on the vessel *M/V COSCO SHIPPING CAMELLIA*, and Plaintiff was lawfully on the vessel at all times mentioned herein.

14. Upon information and belief, Defendants own, manage, operate, direct, and crew vessels, including the *M/V COSCO SHIPPING CAMELLIA*, to call upon and transact business in the Port of Savannah, Chatham County, Georgia, on a routine, regular, and systematic basis.

15. At all times herein mentioned, the *M/V COSCO SHIPPING CAMELLIA* was located on the navigable waters of the United States and within the State of Georgia for the purpose of loading and discharge of cargo.

16. While in the process of performing his duties on the *M/V COSCO SHIPPING CAMELLIA*, Plaintiff was walking down the steep gangway, holding on to the left hand rail, to exit from onboard the vessel. When Plaintiff reached the bottom platform of the gangway, the left hand rail suddenly and without warning collapsed and gave way, causing him to fall off the gangway and land on the side of the dock. Plaintiff's

right shoulder and the rest of his body were hanging off the dock until a fellow longshoreman pulled him back onto the dock. As a result of Plaintiff's fall from the gangway due to the hand rail collapsing, he sustained a serious injury to his right shoulder.

III. CAUSES OF ACTION

A. Negligence

17. Defendants had substantial control, oversight and knowledge of the equipment on board of the *M/V COSCO CAMELLIA*, and breached their duty to Plaintiff and other longshoreman by failing to exercise reasonable care to properly operate and maintain the equipment and ensure that the workers aboard the vessel were provided with equipment fit for the equipment's intended use.

18. Defendants knew or should have known there was an unsafe risk that a damaged or improperly secured gangway could result in substantial injuries to those working aboard the vessel.

19. Upon information and belief, Defendants were in charge of, responsible for, and/or had control over the gangway and breached their duties to Plaintiff by failing to properly operate and maintain this equipment and by failing to ensure the equipment was reasonably fit for its intended use.

20. Plaintiff's injuries were not the result of any fault or negligence on the part of the Plaintiff, but were proximately caused by the negligence of Defendants, its agents, servants or employees, acting in the following respects:

- a. Negligent failure to operate, maintain, inspect, and replace damaged or defective vessel equipment;

- b. Employment of incompetent officers, crew, and/or maintenance personnel responsible for operating, maintaining, inspecting and replacing damaged or defective vessel equipment;
- c. Negligent failure to properly train officers, crew in the acts of operating, maintaining, inspecting and replacing damaged or defective vessel equipment;
- d. Negligent failure to operate and maintain the vessel and/or the gangway at issue in a reasonably safe condition and failure to provide Plaintiff with a reasonably safe place to work;
- e. Negligent failure to warn Plaintiff of the defective condition of the *M/V COSCO SHIPPING CAMELLIA* and its appurtenances and vessel equipment;
- f. Other acts of negligence which will appear more fully at the trial of this matter.

21. Defendants' above-described negligent acts and omissions constitute a proximate cause of the injuries sustained by Plaintiff.

IV. INJURIES AND DAMAGES

22. Plaintiff brings this action against the Defendants to recover medical expenses, past, present, and future; lost wages, past, present, and future; pain and suffering, both physical and emotional, past, present, and future; and permanent impairment.

23. Defendants have acted in bad faith, been stubbornly litigious, and/or caused Plaintiff unnecessary trouble and expense, such actions entitling Plaintiff to recover attorneys' fees and expenses pursuant to O.C.G.A. § 13-6-11.

WHEREFORE, Plaintiff prays for the following relief:

- (A) That summons and process issue and be served upon Defendants;
- (B) For a trial by a jury comprised of twelve persons;
- (C) That Plaintiff be awarded an appropriate sum to compensate him for his injuries and damages;
- (D) That Plaintiff be awarded reasonable attorneys' fees and litigation expenses; and
- (E) For such other and further relief as the Court deems just and proper.

This 18th day of March, 2020.



Brent J. Savage
Georgia Bar No. 627450
Zachary R. Sprouse
Georgia Bar No. 276708

SAVAGE, TURNER, DURHAM
PINCKNEY & SAVAGE
Post Office Box 10600
Savannah, GA 31412
(912) 231-1140

General Civil and Domestic Relations Case Filing Information Form☐ Superior or ☒ State Court of CHATHAM County**For Clerk Use Only**Date Filed 3/18/2020
MM-DD-YYYYCase Number STCV20-00547**Plaintiff(s)**

GREENE, ROMARE J.

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Plaintiff's Attorney BRENT J. SAVAGE**Defendant(s)**

COSCO SHIPPING LINES CO. LTD.

Last First Middle I. Suffix Prefix

COSCO SHIPPING AMELLIA LTD.

Last First Middle I. Suffix Prefix

SHANGHAI OCEAN SHIPPING CO. LTD.

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Bar Number 627450 Self-Represented ☐**Check One Case Type in One Box****General Civil Cases**

- ☐ Automobile Tort
- ☐ Civil Appeal
- ☐ Contract
- ☐ Garnishment
- ☒ General Tort
- ☐ Habeas Corpus
- ☐ Injunction/Mandamus/Other Writ
- ☐ Landlord/Tenant
- ☐ Medical Malpractice Tort
- ☐ Product Liability Tort
- ☐ Real Property
- ☐ Restraining Petition
- ☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
- ☐ Dissolution/Divorce/Separate Maintenance
- ☐ Family Violence Petition
- ☐ Paternity/Legitimation
- ☐ Support – IV-D
- ☐ Support – Private (non-IV-D)
- ☐ Other Domestic Relations

Post-Judgment – Check One Case Type

- ☐ Contempt
- ☐ Non-payment of child support, medical support, or alimony
- ☐ Modification
- ☐ Other/Administrative

- ☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

- ☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

- ☐ Is an interpreter needed in this case? If so, provide the language(s) required. Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.



In The State Court of Chatham County, Georgia

133 MONTGOMERY STREET, ROOM 501, SAVANNAH, GA 31401

www.statecourt.org • Phone (912) 652-7224 • FAX (912) 652-7229 • clerk@statecourt.org

ROMARE J. GREENE

Counsel or Party Counsel or Party
STCV20-00547

Plaintiff

Case Number

Vs

COSCO SHIPPING LINES CO. LTD.,

COSCO SHIPPING CAMELLIA LTD. and

SHANGHAI OCEAN SHIPPING CO. LTD.

Defendant

CERTIFICATION UNDER RULE 3.2

Pursuant to rules 3.2 and 3.4 of the Uniform Superior Court Rules and Local Rule # 3.2 of the Eastern Judicial Circuit of Georgia, I hereby certify that no case has heretofore been filed in the State Court of the Eastern Judicial Circuit involving substantially the same parties or substantially the same subject matter or substantially the same factual issues which would require the petition-pleading to be specifically assigned to the judge whom the original action was or is assigned.

This 18th day of MARCH, 20 20

OR

Pursuant to Rules 3.2 and 3.4 of the Uniform Superior Court Rules and Local Rule # _____ of the Eastern Judicial Circuit of Georgia, I hereby certify that this petition-pleading involves substantially the same parties or substantially the same factual issues as in Case # _____

Counsel or Party

VS

Plaintiff

Defendant

Filed in The Eastern Judicial Circuit of Georgia which under Rule 3.2 of the Superior Court rules require the petition-pleading, be specifically assigned to the Judge whom the original action was or is assigned.

Counsel or Party

PRINT



In The State Court of Chatham County

133 Montgomery Street, Room 501, Savannah, GA 31401

www.statecourt.org • Phone (912) 652-7224 • FAX (912) 652-7229 • clerk@statecourt.org

ROMARE J. GREEN,

Plaintiff

STCV20-00547

Case Number

Vs

COSCO SHIPPING LINES CO. LTD.,
COSCO SHIPPING CAMELLIA, LTD. AND
SHANGHAI OCEAN SHIPPING CO. LTD.,

Defendant

Address of Defendant

COSCO SHIPPING CAMELLIA LTD.
c/o COSCO SHIPPING LINES CO. LTD.
COSCO Plaza, 378, Dongdaming Lu, Hongkou Qu
Shanghai, China

SUMMONS

TO THE ABOVE NAMED DEFENDANT: COSCO SHIPPING CAMELLIA LTD

Defendant's Address COSCO Plaza, 378, Dongdaming Lu, Hongkou Qu, Shan

You are hereby summoned and required to file with the Clerk of said Court and serve upon Plaintiff's Attorney,
whose name and address is:

BRENT J. SAVAGE
SAVAGE TURNER DURHAM
PO BOX 10600
SAVANNAH GA 31412

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you,
exclusive of the day of service. If you fail to do so, Judgment by default will be taken against you for the relief demanded
in the complaint.

This 18th day of March, 2020

Brian K. Hart

CLERK OF COURT
State Court of Chatham County

/s/ Moneisha Green

Deputy Clerk, State Court of Chatham County

Not valid until
signed and sealed
by a Deputy Court
Clerk

PRINT

27. Summons 09-05



In The State Court of Chatham County

133 Montgomery Street, Room 501, Savannah, GA 31401

www.statecourt.org • Phone (912) 652-7224 • FAX (912) 652-7229 • clerk@statecourt.org

ROMARE J. GREEN,

Plaintiff

STCV20-00547

Case Number

Vs

COSCO SHIPPING LINES CO. LTD.,
COSCO SHIPPING CAMELLIA, LTD. AND
SHANGHAI OCEAN SHIPPING CO. LTD.,

Defendant

Address of Defendant

COSCO SHIPPING LINES CO. LTD.
COSCO Plaza, 378, Dongdaming Lu, Hongkou Qu
Shanghai, China

SUMMONS

TO THE ABOVE NAMED DEFENDANT: COSCO SHIPPING LINES CO. LTD

Defendant's Address COSCO Plaza, 378, Dongdaming Lu, Hongkou Qu, Shan

You are hereby summoned and required to file with the Clerk of said Court and serve upon Plaintiff's Attorney,
whose name and address is:

BRENT J. SAVAGE
SAVAGE TURNER DURHAM
PO BOX 10600
SAVANNAH GA 31412

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you,
exclusive of the day of service. If you fail to do so, Judgment by default will be taken against you for the relief demanded
in the complaint.

This 18th day of March, 2020

Brian K. Hart
CLERK OF COURT
State Court of Chatham County

/s/ Moneisha Green

Deputy Clerk, State Court of Chatham County

Not valid until
signed and sealed
by a Deputy Court
Clerk

PRINT

27. Summons 09-05



In The State Court of Chatham County

133 Montgomery Street, Room 501, Savannah, GA 31401

www.statecourt.org • Phone (912) 652-7224 • FAX (912) 652-7229 • clerk@statecourt.org

ROMARE J. GREEN,

Plaintiff

STCV20-00547

Case Number

Vs

COSCO SHIPPING LINES CO. LTD.,
COSCO SHIPPING CAMELLIA, LTD. AND
SHANGHAI OCEAN SHIPPING CO. LTD.,

Defendant

Address of Defendant

SHANGHAI OCEAN SHIPPING CO. LTD.
COSCO Plaza, 378, Dongdaming Lu, Hongkou Qu
Shanghai, China

SUMMONS

TO THE ABOVE NAMED DEFENDANT: SHANGHAI OCEAN SHIPPING CO. LTD.

Defendant's Address COSCO Plaza, 378, Dongdaming Lu, Hongkou Qu, Shan

You are hereby summoned and required to file with the Clerk of said Court and serve upon Plaintiff's Attorney, whose name and address is:

BRENT J. SAVAGE
SAVAGE TURNER DURHAM
PO BOX 10600
SAVANNAH GA 31412

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, Judgment by default will be taken against you for the relief demanded in the complaint.

This 18th day of March, 2020

Brian K. Hart

CLERK OF COURT

State Court of Chatham County

/s/ Moneisha Green

Deputy Clerk, State Court of Chatham County

Not valid until
signed and sealed
by a Deputy Court
Clerk

PRINT

27. Summons 09-05

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

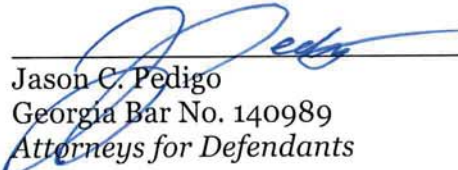
ROMARE J. GREENE,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO: STCV20-00547
)	
COSCO SHIPPING LINES CO. LTD.,)	
COSCO SHIPPING CAMELLIA LTD., and)	
SHANGHAI OCEAN SHIPPING CO. LTD.,)	
)	
Defendants.)	

ACKNOWLEDGMENT OF SERVICE
AND WAIVER OF SUMMONS

NOW COME the above named Defendants, by and through their attorneys of record, and as of the date affixed below, hereby acknowledge due and legal service of Plaintiff's Complaint, Interrogatories and Request for Production of Documents to Defendants, and waive service of summons in this action while expressly reserving any and all rights and defenses, including but not limited to the right to contest jurisdiction and venue in this Court and to remove this action to the federal court.

This 1 day of April, 2020.

ELLIS PAINTER RATTERREE & ADAMS LLP


 Jason C. Pedigo
 Georgia Bar No. 140989
 Attorneys for Defendants

Post Office Box 9946
Savannah, GA 31412
(912) 233-9700
pedigo@epa-law.com

EXHIBIT 2

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

ROMARE J. GREEN,)	
)	
Plaintiff,)	
)	
v.)	Case No. <u>STCV20-00547</u>
)	
COSCO SHIPPING LINES CO. LTD.,)	
COSCO SHIPPING CAMELLIA LTD.,)	
AND SHANGHAI OCEAN)	
SHIPPING CO. LTD.,)	
)	
Defendants.)	

NOTICE OF REMOVAL

To: The Clerk of the State Court of Chatham County

Please take notice that COSCO Shipping Lines Co. Ltd., COSCO Shipping Camellia, Ltd., and Shanghai Ocean Shipping Co., Ltd. (collectively, “Defendants”) in the above-styled action originally pending in the State Court of Chatham County as civil action no. STCV20-00547 have filed in the United States District Court for the Southern District of Georgia, Savannah, Division, its Notice of Removal of this case to that Court.

This 27th day of April, 2020.

ELLIS PAINTER RATTERREE & ADAMS LLP

/s/Jason Pedigo

Jason C. Pedigo

Georgia Bar No. 140989

pedigo@epa-law.com

Tracy C. O’Connell

Georgia Bar No. 553460

toconnell@epa-law.com

Philip M. Thompson

Georgia Bar No. 963572

pthompson@epa-law.com

Attorney for Defendants

P.O. Box 9946
Savannah, GA 31412
T: (912)233-9700

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the within and foregoing document on all parties in accordance with the directives from the Court Notice of Electronic Filing ("NEF") which was generated as a result of electronic filing:

Brent J. Savage
Zachary R. Sprouse
P.O. Box 10600
Savannah, GA 31412
bsavage@savagelawfirm.net
zsprouse@savagelawfirm.net

X via email.

This 27th day of April, 2020.

ELLIS PAINTER RATTERREE & ADAMS LLP

/s/Jason Pedigo
Jason C. Pedigo
Georgia Bar No. 140989
pedigo@epa-law.com
Attorney for Defendants

P.O. Box 9946
Savannah, GA 31412
T: (912)233-9700

EXHIBIT 3

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

KIRK DEWEESE,
Plaintiff,

v.

GEORGIA PORTS AUTHORITY,
Defendant.

Civil Action No: STCV06-00147-CO

JURY VERDICT

10th
May 2012
Black
Clerk, The State Court of Chatham County

CHECK ONE BOX:

- ☒ 1. We, the jury, find in favor of Kirk Deweese and against the Georgia Ports Authority.
- ☐ 2. We, the jury, find in favor of the Georgia Ports Authority.

If you checked #1 above, complete the following:

100% % negligence of the Georgia Ports Authority
_____% negligence of Kirk Deweese

If you checked #1 above, also complete the following:

\$ <u>87,759.95</u>	Medical expenses
\$ <u>651,000.</u>	Past lost wages
\$ <u>1,674,000.</u>	Future lost wages
\$ <u>3,250,000.</u>	Pain and suffering
<u>\$ 5,662,759.95</u>	TOTAL

Kelly H. Gordon
Foreperson

5/10/12
Date

Kelly H. Gordon

IN THE STATE COURT OF CHATHAM COUNTY
STATE OF GEORGIA

KIRK DEWEESE,

Plaintiff,

v.

GEORGIA PORTS AUTHORITY,

Defendant.

Civil Action No. STCV06-00147-CO

RECEIVED FOR FILING
STATE COURT CLERK
CHATHAM COUNTY
2012 MAY 22 PM 4:17
Kirk Dewese

JUDGMENT

This case was tried before a jury on 5/07/12, 5/08/12, 5/09/12 and 5/10/12, the undersigned presiding. The jury returned its verdict in favor of Plaintiff Kirk Dewese and against Defendant Georgia Ports Authority in the following amounts: Medical expenses - \$87,759.95, Past lost wages - \$651,000.00, Future lost wages - \$1,674,000.00 and Pain and suffering - \$3,250,000.00. The jury made a specific finding on the Verdict form that Defendant Georgia Ports Authority was 100% negligent.

O.C.G.A. § 50-21-29(b)(1) provides that no person shall recover a sum exceeding \$1,000,000.00 because of loss arising from a single occurrence in a case filed against a state government entity pursuant to the Georgia Tort Claims Act. Accordingly, the verdict in favor of Plaintiff Kirk Dewese must be reduced to \$1,000,000.00.

Based upon the foregoing, Judgment is hereby entered in the amount of \$1,000,000.00 against Defendant Georgia Ports Authority, together with interest

thereon from the date of this Judgment until satisfaction thereof, at the rate of 7% per annum pursuant to O.C.G.A. § 50-21-^{-31/20c}~~22~~. All costs are cast upon the Defendant.

SO ORDERED this 22 day of May, 2012.



Judge, State Court of Chatham County